

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re: WILLIAM J. HOLCOMB

Debtor.

Case No. 17-12473-ta11  
Chapter 11

In re: HOLCOMB OIL AND GAS, INC.,  
a New Mexico corporation, EID 93-0912222

Debtor.

Case No. 17-12521-ta11  
Chapter 11

(Administered under 17-12473-ta11)

**DEBTOR HOLCOMB OIL AND GAS, INC.'S FIRST AND FINAL APPLICATION FOR  
ALLOWANCE AND PAYMENT OF COMPENSATION AND REIMBURSEMENT OF  
EXPENSES AND COSTS FOR SPECIAL COUNSEL  
(THE SUAZO LEGAL GROUP, PLLC)**

The Debtor Holcomb Oil and Gas, Inc. ("Debtor" or "Holcomb Oil and Gas, Inc."), by and through counsel, submits this First and Final Application for Allowance and Payment of Attorneys Fees, Costs and Tax for Special Counsel the Suazo Legal Group, PLLC ("Special Counsel"), pursuant to 11 U.S.C. §§330, 331 and 503, for the period from December 12, 2017 to December 20, 2018 (the "Application Period"). In support of this application, Special Counsel states:

1. The Debtor filed the petition for relief under Chapter 11 of the Bankruptcy Code on October 2, 2017. The Debtor has retained possession of its assets and is operating as a Debtor in Possession. No creditors committee has yet been appointed in this case by the Office of the United States Trustee, and the Chapter 11 Plan was confirmed by Order of the Court entered on December 20, 2018 (Doc. No. 149).

2. The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and 11 U.S.C. § 506. This is a core proceeding under 28 U.S.C. §157(b)(2). Jurisdiction and venue are proper in this Court.

3. Debtor's employment of Special Counsel was approved by the Order of the Court entered on March 1, 2018 (Doc. No. 74)(the "Employment Order"). Debtor agreed to pay Special Counsel hourly rates for all services rendered in connection with this case. This is Special Counsel's first and final application for compensation in this case.

4. In the Application Period, Special Counsel has provided services in connection with the following: assistance regarding the Debtor's dispute with Red River Compression Services, LLC dba Advantage Energy Solutions ("Red River"), including research regarding enforcement of liens and other issues, preparing draft objections to Red River's claims and a draft Adversary Complaint regarding such claims, and assisting in negotiations with Red River and its counsel which resulted in a successful settlement of the dispute. Special Counsel also provided other general services and advice specifically related to the Oil & Gas industry, as summarized on the bill.

5. The requested attorney's fees, paralegal fees, costs, and taxes for the Application Period are identified on the Invoice attached hereto as of Exhibit A. As shown by Exhibit A, Special Counsel requests approval of compensation of \$7,630.00 for the Application Period.<sup>1</sup> Special Counsel has not received any payment during the Application Period. Special Counsel requests that the Court authorize the Debtor to pay Special Counsel the total balance due of \$7,630.00 as compensation for the balance owed for the Application Period as a final fee award pursuant to 11 U.S.C. §§330 and 331.

6. Special Counsel's billing rates for professional services were: Miguel Suazo: \$275.00 per hour; law clerks; \$115.00 per hour. Pursuant to 11 U.S.C. §331, Special Counsel has not applied for any compensation in the preceding 120 days.

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<sup>1</sup> The "discounts" of \$876.25 and \$1,031.25 referred to in the invoices refer to the 25% holdback required by the Employment Order.

7. Special Counsel has informed the Debtor that it has not shared compensation in this case with any other person, directly or indirectly, in any form, except with members of Special Counsel's law firm, and that no agreement or understanding exists between Special Counsel and other persons for the sharing of any compensation received or to be received for services rendered in connection with this case.

8. Special Counsel has informed the Debtor that these fees were incurred **in relation to** the case and should be deemed to be priority administrative expenses.

9. The Debtor states that Special Counsel is entitled to compensation based on other factors as set forth in cases addressing applications for compensation (See In re Jenson-Farley, 47 B.R. 557 (D.C. Utah 1985), Johnson v. Georgia Highway Express, Inc., 488 F.2d 714 (5<sup>th</sup> Cir. 1974)):

(a) Expertise and experience in the area of bankruptcy of the Special Counsel's rendering services to the Debtor: Special Counsel has extensive expertise and experience in the Oil & Gas industry.

(b) Method used to compute time charges. Special Counsel billed hourly for services for representation of the client at normal, set, hourly rates for each attorney and timekeeper in the firm: The number of hours and hourly rates for each timekeeper who worked on representation of the client in this proceeding are itemized in this application. The billing invoices reflect contemporaneous time entries which set forth the services performed, the dates on which such services were performed, and the time spent in tenth of one hour increments.

(c) Relative billing rates of Special Counsel's for in-court and out-of-court hours: Special Counsel did not bill for any in-court hours.

10. Attached as Exhibit A is a detailed statement for all requested payments.

WHEREFORE, the Debtor requests that the Court allow, as a priority administrative expense of the estate, Special Counsel's requested fees in the total amount of \$7,630.00 for the Application Period (\$7,630.00 services and taxes; \$0.00 expenses). The Debtor requests that the Court authorize payment to Special Counsel of the total balance due of \$7,630.00 as compensation for the balance owed for the Application Period as a final fee award pursuant to 11 U.S.C. §§330 and 331, and such other and further relief as the Court deems just.

Respectfully submitted,

WALKER & ASSOCIATES, P.C.

By: s/ filed electronically 4/03/2019

Chris W. Pierce  
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Albuquerque, New Mexico 87102  
(505) 766-9272  
(505) 766-9287 (fax)  
[cpierce@walkerlawpc.com](mailto:cpierce@walkerlawpc.com)  
Attorneys for Holcomb Oil & Gas, Inc.

I hereby certify that, on April 3, 2019, in accordance with NM LBR 9036-1 and Fed. R. Civ. P. 5(b)(3), a true copy of the foregoing was served via the Court's CM/ECF notification facilities to those parties who are registered CM/ECF participants in this case, or via U.S. Mail to any other parties as indicated below, including:

By CM/ECF:

US Trustee  
P.O. Box 608  
Albuquerque, NM 87103-0608  
(505) 248-6544

s/ filed electronically 4/03/2019  
Chris W. Pierce

# Suazo Legal Group, PLLC

102 Maxwell Way  
Austin, TX 78738  
Phone: 202-251-7768

## INVOICE

Date: 08/01/2018

Invoice #: 208

Matter: Holcomb Bankruptcy Work

File #: 2017.0027

### Bill To:

Holcomb Oil and Gas

Due Date: Due Upon Receipt

Payments received after 03/12/2019 are not reflected in this statement.

### Professional Services

Date		Details	Hours	Rate	Amount
12/12/2017	MAS	Call with Pierce, Prepared assignment for clerk. Prepared documents and emails for bankruptcy attorney	2.50	\$275.00	\$687.50
12/12/2017	CA	Research on Liens - Cut Time	5.00	\$115.00	\$575.00
01/03/2018	CA	Research and Drafting	3.00	\$115.00	\$345.00
01/08/2018	CA	Drafting and Editing	7.00	\$115.00	\$805.00
01/16/2018	CA	Research and Drafting	4.00	\$115.00	\$460.00
02/05/2018	MAS	Prepared for Hearing Reviewed filings. Drafted talking points. Spoke to Pierce. Reviewed Order.	1.80	\$275.00	\$495.00
03/14/2018	MAS	Call with Pierce and White Discussed strategy and next steps for oil and gas end of litigation. Agreed to confirm Jeff's ownership and review venue and mitigation of alleged charges against Holcomb.	0.50	\$275.00	\$137.50

For professional services rendered	23.80	\$3,505.00
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Discount	\$(876.25)
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Invoice Amount	\$2,628.75
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## EXHIBIT A

# Suazo Legal Group, PLLC

102 Maxwell Way  
Austin, TX 78738  
Phone: 202-251-7768

Balance Due	<u>\$2,628.75</u>
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Retainer Balance (as of 03/12/2019)	\$0.00
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# Suazo Legal Group, PLLC

102 Maxwell Way  
Austin, TX 78738  
Phone: 202-251-7768

## INVOICE

**Date:** 11/28/2018

**Invoice #:** 213

**Matter:** Holcomb Bankruptcy Work

**File #:** 2017.0027

**Bill To:**

Holcomb Oil and Gas

**Due Date:** Due Upon Receipt

**Payments received after 03/12/2019 are not reflected in this statement.**

### Professional Services

Date		Details	Hours	Rate	Amount
09/02/2018	MAS	Began Initial Draft of Complaint Sent to attorney Chris Pierce for Review	3.00	\$275.00	\$825.00
09/10/2018	MAS	Feedback from Chris Pierce Began drafting additional sections of CO and reviewing email and documents from HOG to Red River for inclusion in Complaint.	8.00	\$275.00	\$2,200.00
10/02/2018	MAS	Finalized Complaint for Use by Bankruptcy Attys	4.00	\$275.00	\$1,100.00
<b>For professional services rendered</b>			<b>15.00</b>		<b>\$4,125.00</b>

### Additional Charges

Date		Details	Quantity	Rate	Amount
08/01/2018	MAS	Discount for Bankruptcy Proceedings Discounted bill by 25% from \$3505.00 to 2628.75	1	\$0.00	\$0.00
08/01/2018	MAS	Discount - cannot be recouped until out of bankruptcy	1	\$876.25	\$876.25
<b>Total additional charges</b>					<b>\$876.25</b>

# Suazo Legal Group, PLLC

102 Maxwell Way  
Austin, TX 78738  
Phone: 202-251-7768

Discount	\$ (1,031.25)
Invoice Amount	<u>\$3,970.00</u>

Previous Invoices Balance	\$2,628.75
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Balance Due	<u>\$6,598.75</u>
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Retainer Balance (as of 03/12/2019)	\$0.00
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